

IC 15-2.1-16

Chapter 16. Disposal of Dead Animals

IC 15-2.1-16-1

Nonapplication of chapter

Sec. 1. Nothing in this chapter applies to or affects the following persons, matters, or vocations:

- (1) Any person slaughtering, butchering, manufacturing, or selling in any manner any animal flesh or products, or any poultry flesh or poultry products, where the animals or poultry are killed for the sole purpose of being used for human consumption, or to persons engaged in transporting and disposing of the dead bodies of the animals so killed, or to persons engaged in the transportation and disposing of poultry so killed, or of any parts or products of animals or poultry to any persons solely for human consumption.
- (2) Any person transporting, disposing of, or selling the hides or skins of animals or tanning the hides or skins for himself or other persons, provided such person does not engage in any other byproducts operation.
- (3) Any bodies of dead fish, reptiles or small animals of any kind such as dogs, cats and small game.
- (4) Any governmental agency collecting, transporting or disposing of the bodies of any dead animals or poultry in any manner.
- (5) Any person collecting, transporting or disposing of dead animals or poultry in any manner for educational or research purposes under permit and approval of the board.
- (6) Any livestock owner transporting the owner's dead livestock to a rendering plant or to a diagnostic facility.

As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1977, P.L.168, SEC.1; P.L.124-2001, SEC.106.

IC 15-2.1-16-2

Disposal plant license; requirement

Sec. 2. (a) A person in Indiana may not do the following:

- (1) Engage in the business of operating a disposal plant without first obtaining a license for each disposal plant operated and any vehicle certificates required by this chapter.
- (2) Transport over the roads the body of a dead animal not slaughtered for human food unless the person holds a license to operate a disposal plant or collection service in Indiana or who is acting for a licensee, or otherwise exempted under this article.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.107.

IC 15-2.1-16-3

License application

Sec. 3. Any person desiring a license required under this chapter

must file an application for the license with the state veterinarian. The application must set forth the name and address of the applicant, the location of the place of business, the number and location of all substations, the number and kind of vehicles to be used, and other information as may be required by this article and by rules adopted by the board. The application must be accompanied by the license fees required under this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.108.

IC 15-2.1-16-4

License; inspection

Sec. 4. Upon receipt of an application for a license under this chapter, the state veterinarian, or a designee of the state veterinarian, shall inspect the disposal plant and the locality where the applicant is conducting or proposes to conduct business and shall ascertain whether the applicant has fulfilled and complied with the requirements of this chapter and the rules relating to the business. An inspection must be conducted within thirty (30) days of the date the application was received by the state veterinarian.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.109.

IC 15-2.1-16-5

License term

Sec. 5. A license issued under this chapter remains in effect until a licensee voluntarily surrenders a license, the board suspends or revokes the license as provided in this chapter, or the license period expires as determined by the board under IC 15-2.1-17. The board may adopt rules to implement this chapter, including the following:

- (1) Procedures for issuing, suspending, revoking, and updating licenses and certificates.
- (2) Requiring annual or other regular reports from licensees for the purpose of determining the vehicle certificates required, the current status of facilities and equipment licensed under this chapter, or updating other information utilized in administering the requirements of this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.110.

IC 15-2.1-16-6

License to operate; vehicle certificates

Sec. 6. (a) The state veterinarian shall issue a disposal plant license to an applicant that meets the requirements of this chapter and any rules adopted under this chapter.

(b) Trucks or trailers that are to be used as transport vehicles must bear a license certificate issued by the state veterinarian. If an applicant for a disposal plant license meets the requirements of this chapter and any rules adopted under this chapter, the state veterinarian shall issue to the applicant transport vehicle license

certificates, one (1) for each transport vehicle declared in the license application. A transport vehicle license entitles the licensee to operate a transport vehicle in Indiana.

As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1977, P.L.166, SEC.39; P.L.124-2001, SEC.111.

IC 15-2.1-16-7

License fees

Sec. 7. The fees for licenses issued under this chapter are as follows:

- (1) The base license fee for each disposal plant, including transport vehicle certificates, is one hundred fifty dollars (\$150).
- (2) The license fee for each substation is twenty dollars (\$20).
- (3) The collection service license fee, including transport vehicle certificates, is one hundred fifty dollars (\$150).

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.112.

IC 15-2.1-16-8

Fees prorated

Sec. 8. The full amount of the fees specified in this chapter shall be paid for licenses and transport vehicle certificates issued before one-half (1/2) of the license period has expired, and one-half (1/2) of the fee shall be paid for licenses and certificates issued after one-half (1/2) of the license period has expired.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.113.

IC 15-2.1-16-9

Fees non-returnable

Sec. 9. Fees Non-returnable. In the event an applicant under this chapter is refused a license, no part of the fees paid by him shall be refunded, but all thereof shall belong to the state of Indiana, as a part of its general fund.

As added by Acts 1976, P.L.59, SEC.1.

IC 15-2.1-16-10

Inspections

Sec. 10. If the state veterinarian finds that an applicant for a disposal plant license has not complied with the requirements of this chapter and rules adopted under this chapter, the state veterinarian shall at once notify the applicant in writing of the specific findings, delivered in person or by United States mail. The applicant may request a reinspection or reconsideration of the state veterinarian's findings in writing delivered to the state veterinarian. The state veterinarian shall, within ten (10) days, make a similar second inspection, but may not be required to make more than two (2) inspections of the same plant under one (1) application and the original payment of fees. However, the state veterinarian may make

more than two (2) inspections if circumstances warrant additional inspections. If an application is denied, the applicant may reapply for a license by following the appropriate procedures and paying the required fees.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.114.

IC 15-2.1-16-11

New disposal plants; plans

Sec. 11. Any person desiring to construct a new disposal plant, or reconstruct and reopen a disposal plant previously closed, must first file with the state veterinarian a written request for a permit for that purpose along with other information as may be required. The applicant must also set out a general statement of the applicant's proposed plan and method of operating the business and disposal plant and must show that it is proposed to be located or continued in a place permitted by this chapter. The state veterinarian may require the applicant to submit detailed plans and specifications for the proposed disposal plant. The state veterinarian may submit the plans, specifications, and other information to any qualified architects and engineers employed in any other department of the state government or to any qualified person not employed by the state to obtain advice concerning the proposed plant's compliance with this chapter and any rules adopted under this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.115.

IC 15-2.1-16-12

New disposal plants; inspections

Sec. 12. If the state veterinarian finds that an applicant under section 11 of this chapter has complied with all of the relevant requirements of this article and any rules adopted under this article, the state veterinarian shall issue a permit to construct or reconstruct the disposal plant. Upon the completion of the disposal plant and before the same is placed in operation, the applicant shall notify the state veterinarian who shall then make the same kind of inspections as are provided for existing established plants, and in all respects the procedure established for inspections and the issuance of a license, with the payment of the license fee and any required additional fees by the applicant. The license shall be either issued or denied in the same manner, and subject to all the other provisions of this chapter. For each subsequent year, the annual license and other fees shall be the same as for similar existing licensed plants.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.116.

IC 15-2.1-16-13

New disposal plants; location

Sec. 13. New Disposal Plants—Location. No new disposal plant may be located or constructed, or may any discontinued plant be

reconstructed or reopened, at any place in this state where the location and operation of that plant is prohibited by law or ordinance. *As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1977, P.L.166, SEC.40.*

IC 15-2.1-16-14

Destruction of disposal plant; reconstruction; location

Sec. 14. If a disposal plant is destroyed in any manner, except during a war, to the extent of at least two-thirds (2/3) of the operating portion of the disposal plant, the disposal plant may not be reconstructed and the site may not be used again for the purpose of a disposal plant if the site is located where the location of a new disposal plant is prohibited under section 13 of this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.1-1991, SEC.118.

IC 15-2.1-16-15

License requirement to transport dead animals

Sec. 15. A person, except as provided in this chapter, may not haul or transport over the highways of the state of Indiana the bodies of any dead animals, except those that have been slaughtered and are intended for human food, without first obtaining and holding a disposal plant or collection service license issued under this chapter, and which bodies are being transported to a disposal plant operated by a person holding a license to engage in the business.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.117.

IC 15-2.1-16-16

Restrictions on licensing to transport dead animals

Sec. 16. A license may not be issued to any person solely for the purpose of transporting the bodies of dead animals unless the person meets the requirements for a collection service under this chapter. Any public official of this state, charged by law with such duties, may remove or supervise the removal of the dead bodies of animals and the disposal of the dead bodies by any method provided for by this chapter, where necessary, to protect the public health and welfare.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.118.

IC 15-2.1-16-17

Transport vehicles; specifications

Sec. 17. Transport vehicles must be constructed so that the transport vehicles are practically watertight, so that no drippings or seepage from dead bodies escape from the vehicles if it can be obviated. All transport vehicles must have an endgate so designed that drippings and seepage will not escape from the vehicle while the transport vehicle is engaged in transportation. A transport vehicle must be constructed so that any dead body in the transport vehicle is

completely hidden from view of persons using the highways and any public nuisance is obviated during transport.

As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1977, P.L.166, SEC.41; P.L.124-2001, SEC.119.

IC 15-2.1-16-18

Transport vehicles; cleaning

Sec. 18. On each occasion after the bodies of dead animals have been unloaded from any transport vehicle, the transport vehicle and all parts of the transport vehicle shall be thoroughly cleansed and disinfected in a manner and with a solution as the state veterinarian may prescribe by rule. All transport vehicles shall be washed out thoroughly with steam or hot water after each use for transporting dead animals.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.120.

IC 15-2.1-16-19

Transport vehicles; generally

Sec. 19. Transport vehicles, when loaded with the body of an animal that has died of disease, shall be driven directly to the place of disposal, or to a substation maintained for the temporary storage of the animal body, except that the driver may stop on the highway for other dead bodies. A person may not drive a transport vehicle upon the premises of any person unless the person obtains the permission of the other person, and the person must avoid creating any nuisance during transportation. If any drippings or seepage escapes from the vehicle, the person shall clean up the drippings or seepage and remedy the escape, if possible to do so.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.121.

IC 15-2.1-16-20

Disposal of dead animals required

Sec. 20. (a) A person owning or caring for any animal that has died from any cause may not allow the body to lie about. Any animal body shall be disposed of by the person within twenty-four (24) hours after knowledge of death so as not to produce a nuisance. Disposal must be by one (1) of the following methods:

- (1) At an approved disposal plant.
- (2) Burial upon the owner's premises to such a depth that every part of the animal's body is at least four (4) feet below the natural surface of the ground and every part of the animal's body is covered with at least four (4) feet of earth in addition to any other material that may be used as cover.
- (3) Thorough and complete incineration according to standards established by an appropriate governmental agency.
- (4) Composting according to standards approved by the board.

(b) The board may adopt rules that allow for alternate methods of disposing of dead animals that will promote the safe, orderly, and

efficient disposal of dead animals. The board may adopt rules and issue orders restricting the use of the disposal methods described in subsection (a) to control disease.

As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1977, P.L.166, SEC.42; P.L.95-1992, SEC.10; P.L.124-2001, SEC.122.

IC 15-2.1-16-21

Skinning dead animals

Sec. 21. Skinning Dead Animals. Any person owning or controlling any dead animal that has not died of a contagious disease, may remove the hide or skin thereof on his own premises before burying the body pursuant to this chapter, but such skinning must be done and the disposition of such hide, or skin and body must be made in a manner that will avoid the creation of any nuisance.

As added by Acts 1976, P.L.59, SEC.1.

IC 15-2.1-16-22 Repealed

(Repealed by Acts 1977, P.L.166, SEC.48.)

IC 15-2.1-16-23

Ordinances

Sec. 23. Ordinances. No person may bury the body of any animal within the corporate limits of any city or town, where the same is prohibited by law or ordinance.

As added by Acts 1976, P.L.59, SEC.1.

IC 15-2.1-16-24

Specifications for disposal plants

Sec. 24. (a) A disposal plant is not a suitable or sanitary place for disposing of the bodies of dead animals by any process of cooking unless it conforms to the following minimum specifications:

(1) The building must have four (4) walls complete and be provided with concrete or cement floors and be thoroughly sanitary in construction and maintenance; and any sewage, drainage or waste water of any kind, if of an offensive or obnoxious character or odor, detrimental to human, animal, agricultural or aquatic life, or that may constitute a public nuisance, shall be discharged into a public sewer, and if no such sewer is available, shall be disposed of in accordance with the requirements of water pollution control laws (as defined in IC 13-11-2-261).

(2) All disposal plants where a rendering process is conducted must be properly equipped, operated, and designed in a manner as to minimize the escape of vapors during processing and to expose the material being processed to such conditions that will kill all pathogenic organisms. The board may prescribe by rule specific conditions that a rendering process must meet in order to protect the public health.

(3) If the owner or operator of a disposal plant wishes to sell any part or parts of any animal carcasses taken to the owner's or

operator's disposal plant for use in the manufacture of pet food, or for feeding mink and other animals, the disposal plant shall have a separate room to which animal bodies as are deemed suitable for such use shall be taken. The processing and boning of carcasses shall be done promptly, and the boned meat shall be ground, or shall be cut into small pieces not more than four (4) inches in diameter, at which time an application shall be made of sufficient quantities of dye, charcoal, malodorous fish oil, or other denaturant approved by the state veterinarian so as to unequivocally preclude its use in human food. Meat that is not immediately shipped shall be refrigerated in a cooler storage room that will preclude decomposition. Meat, before being shipped from a disposal plant, shall be packed in a type of container approved by the state veterinarian. The container so used, shall be clearly marked or stamped with the legend "Unfit for Human Consumption". Lettering used in the legend shall be at least as large as any other lettering on the container, and in no event shall the lettering in the legend be smaller than one-half (1/2) inch in height or less than one-half (1/2) inch in width. The meat may be hauled to the plant of a manufacturer of pet food or to the place of feeding to animals at places approved by the state veterinarian. If, upon the skinning and dismemberment of an animal body it is determined that the body is not suitable for such use, the body shall then be removed to the processing area of the disposal plant where it can be processed in the same manner as other animal bodies are processed.

(4) All skinning and dismembering of bodies shall be done within the disposal plant and in a manner that no unnecessary annoyance shall be caused other persons by the conditions or unsightly appearance of the bodies or any parts and contents of the bodies. All animal material transported to a disposal plant for disposal, except that disposed of under subdivision (3), shall be disposed of within twenty-four (24) hours after delivery to the disposal plant, by a method allowed under this chapter, except where rendered impossible by accident or other casualty preventing the operation of the disposal plant, or where some epidemic or act of God has caused more bodies to be accumulated than can be reasonably disposed of within twenty-four (24) hours by the continuous operation of the plant. The plant shall be placed in operation as soon as possible and shall be operated continuously until all bodies are disposed of.

(b) A disposal plant shall be so situated, constructed, and maintained and all operations therein so conducted at all times as not to create, and continue unnecessarily, a public nuisance.

As added by Acts 1976, P.L.59, SEC.1. Amended by Acts 1977, P.L.166, SEC.43; P.L.1-1996, SEC.70; P.L.124-2001, SEC.123.

IC 15-2.1-16-25

Records

Sec. 25. Each disposal plant shall maintain complete and accurate

records as to the amount of nonedible meats denatured, the amount sold, to whom sold, the address of the consignee, and how and by whom hauled. Such records shall be open to inspection by the state veterinarian, the commissioner of the state department of health, or their authorized agent or agents at all times during the normal working hours at such establishments.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.2-1992, SEC.208.

IC 15-2.1-16-26

Nonedible meat; sales permit

Sec. 26. Nonedible Meat—Sales Permit. Nonedible meat may be sold when properly decharacterized, for shipment to a plant producing pet food, or to a person for use in feeding mink and other animals as allowed by the state veterinarian. A disposal plant must notify the state veterinarian before engaging in the business of selling nonedible meats and may not engage in such business until the state veterinarian has inspected the disposal plant and, upon determination that such disposal plant is adequate to process and handle nonedible meats, has issued to such disposal plant a permit to sell nonedible meat. Such permit shall be issued without payment of an additional fee.

As added by Acts 1976, P.L.59, SEC.1.

IC 15-2.1-16-27

Collection service license; requirements

Sec. 27. A person that does not operate a disposal plant licensed under this chapter may not engage in the business of transporting dead animals, nonedible byproducts from the slaughtering of animals, including poultry, or restaurant grease for delivery to a disposal plant, without first obtaining a license for the collection service. A person desiring a collection service license must submit an application to the state veterinarian with payment of the license fee required under this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.124.

IC 15-2.1-16-28

Collection service license; application

Sec. 28. The owner or operator of a disposal plant in a state other than Indiana may apply for a collection service license as required by section 27 of this chapter from the state veterinarian. The application must include the name of the applicant, the location of any proposed substation in Indiana to be used as a concentration site for the temporary deposit of storage of rendering materials pending final delivery to a disposal plant, the location of applicant's disposal plant outside the state of Indiana, the number and kind of vehicles that will be operated in Indiana, and other essential information relative thereto as the board may require by rule. An application must be accompanied by the total license fee imposed under this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.125.

IC 15-2.1-16-29

Collection service license; application; approval

Sec. 29. The state veterinarian shall determine if an applicant for a collection service license meets the requirements for a collection service license within ninety (90) days after the filing of an application.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.126.

IC 15-2.1-16-30

Collection service license; denial

Sec. 30. (a) The state veterinarian shall notify an applicant for a license to operate a collection service under section 27 of this chapter that the applicant's application does not comply with the requirements of this chapter and specifically indicate why the application does not comply. The application will be placed on hold for not more than sixty (60) days during which time the applicant may provide additional information showing the deficiencies have been corrected.

(b) Upon being notified by the applicant that any deficiencies have been corrected, the state veterinarian shall promptly make a determination as to whether the applicant is entitled to a license.

(c) If the state veterinarian again determines the applicant is not entitled to a license, the state veterinarian may deny the request for a license. If an application is denied, an applicant may reapply by submitting the information and fees required under this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.165-1985, SEC.21; P.L.124-2001, SEC.127.

IC 15-2.1-16-31

Collection service license; fees

Sec. 31. Each application for a collection service license is conditioned upon payment of the fees required under section 7 of this chapter for a collections service license, including the appropriate fees for vehicle certificates and substations.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.128.

IC 15-2.1-16-32

Collection service; transport vehicles

Sec. 32. All transport vehicles used by a collection service must meet the requirements for transport vehicles as provided in this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.129.

IC 15-2.1-16-33

Substation specifications

Sec. 33. Any substation maintained by a licensee under this chapter must meet the requirements as provided in section 24(a) of this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.130.

IC 15-2.1-16-34**Inspections**

Sec. 34. The state veterinarian, in person or by an authorized agent, shall inspect each plant and substation licensed under this chapter at least once each year, and may inspect plants and substations as often as is necessary to ensure compliance with this chapter. The state veterinarian shall see that the licensees and all other persons comply with this chapter and the rules adopted under this chapter.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.124-2001, SEC.131.

IC 15-2.1-16-35**License; suspension and revocation**

Sec. 35. The state veterinarian may suspend for any fixed period of time or revoke any license issued under this chapter, upon certification by the state department of health, in writing, to the state veterinarian that any particular disposal plant or the operation of any particular disposal plant or the operator of any byproducts collection service, is a menace to the public health, stating the charges specifically and definitely, in which case the hearing requested shall be held within thirty (30) days after the charges of the department are filed.

As added by Acts 1976, P.L.59, SEC.1. Amended by P.L.2-1992, SEC.209.